REMARKS

Claims 6-9, 12, 14, 15, and 17-19 are pending in this application. By this Amendment, claims 10, 11, 13 and 16 are canceled, and claims 6, 12 and 14 are amended. A Request for Approval of Drawings Amendments is filed herewith. Reconsideration and withdrawal of the rejections in view of the foregoing amendments and the following remarks are respectfully requested.

I. Objections

The Office Action objects to the specification, asserting it does not include sufficient description of the claimed limitations "the exhaust hood air flow path and the cooling air flow path are separate" and "the cooling air flow path is separate from the exhaust air flow path". This objection is respectfully traversed.

Applicant has amended the specification and Figure 3 (in a Request for Approval of Drawing Amendments, filed herewith) to more clearly set forth the subject matter which the Applicant regards as the invention. In particular, the separate flow has been noted in Figure 3. This feature was discussed at page 4, lines 1-7, and between page 5, line 21 and page 6, line 3 of the originally filed specification. Thus, the specification changes do not add new matter to the application. Withdrawal of the objection and approval of the drawing changes are respectfully requested.

II. Claim Rejection 35 U.S.C. §103

A. Yoshimura, Jailor and White

The Office Action rejects claims 6-19 under 35 U.S.C. §103(a) over U.S. Patent No. 4,314,126 to Yoshimura et al. (hereinafter "Yoshimura") or U.S. Patent No. 4,418,261 to Jailor et al. (hereinafter "Jailor"), in view of U.S. Patent No. 4,327,274 to White et al. (hereinafter "White"). Claims 10, 11, 13 and 16 have been canceled and the rejection thereto is moot. As applied to remaining claims 6-9, 12, 14, 15 and 17-19, this rejection is respectfully traversed.

Applicant respectfully submits that Yoshimura is directed to a microwave heating apparatus with cooling conduit, where the only figure shows a heating chamber 2 disposed within a housing 16. Positioned above the heating chamber 2 is a power box 8 having a magnetron 1 and high voltage circuit 6 therein. Interposed between the heating chamber 2 and the power box 8 is cooling conduit 9 starting at an air suction port 10 on the front of the housing 16. After passing between the top of the heating chamber 2 and the bottom of the power box 8, the cooling conduit 9 is divided into two paths at the back of the housing 16 with the first path passing behind and over the top of the power box 8, and the second path passing through an air suction port 12, into the power box 8 and exiting the power box 18 through exhaust port 13.

Air is driven through the first air path by a first cooling fan 11, and air is driven through the second air path by a second cooling fan 7. The separate air paths are recombined at the

front of the power box 8 and air is exhausted at the front of the cabinet 16 at exhaust port 14. Attached to the bottom of the housing 16 are supporting legs 21.

Applicant notes that the microwave over of Yoshimura is designed to be used on a counter top, and thus has no exhaust air flow path for a range located below the microwave oven. Applicant additionally notes that air is drawn into the cooling conduit 9 through the air suction port 10 by separate cooling fans 7 and 11, and each separate cooling fan is driven by its own motor.

Applicant respectfully submits that Jailor is directed to a microwave oven and ventilator system where Figure 1 shows a microwave oven 12 inserted into a housing 58 of a central compartment assembly 14 and covered by a louvered facing panel 24 forming a range hood assembly. Figure 2 shows an oven blower scroll 144 driven by its own motor drawing air into a vent in a right side of the louvered facing panel 24, circulating the air through the microwave over 12, and then exhausting the air out a vent in the left side of the louvered facing panel 24.

Figure 3 shows a cut away view of the housing 58 having a bottom panel 60 and end chambers 80 located on each side of a cavity where the microwave oven 12 would sit. The end chambers 80 have air channels 76 which open onto the bottom panel 60 and lead to a secondary housing 78 located above the microwave oven 12 cavity. Secondary housing 78 has blower scrolls 90 which draw air from the bottom of the range hood assembly, through the air channels 76 to be exhausted by the blower scrolls 90 out the top of the secondary housing 78. The blower scrolls 90 also draw air into the housing 58 through intake louvers 128 and then through

vents 122 in an outer casing 96 of the blower 84 to also be exhausted out the top of the secondary housing 78.

Applicant notes that Jailor shows both a microwave oven 12 and a central compartment assembly 14 combined to form a range hood assembly. Applicant respectfully notes that Jailor shows the microwave oven having a single air flow path therethrough. Applicant further notes that the microwave oven of Jailor does not have a range exhaust path therethrough, and thus must be placed in the central compartment assembly 14 in order for a range to be vented from underneath the microwave oven.

Applicant respectfully submits that White is directed to a ventilation system for combination microwave oven and exhaust vent, where Figures 1-3 show a microwave oven assembly 9. The microwave oven assembly 9 includes a support assembly 11 including a main support 23, a top cover 36 and a bottom closure 32 which are coupled together to form an enclosure which supports the microwave oven assembly 9. The bottom closure 32 has rectangular vent openings 30 which form a hood vent air path 48 from the bottom and along the back of the microwave oven assembly 9 to be exhausted at an air duct 46. Exhaust air is driven along the hood vent air path 48 by a blower wheel 42 located in the bottom of the microwave oven assembly 9.

The microwave oven assembly 9 also includes a microwave ventilation air path 54. Air is driven by a blower 64 along the microwave oven ventilation air path 54 through the front of the oven and flows above a control compartment 12 and enters the control compartment 12

through a rear wall 6. The air then circulates past a transformer 62 to the blower 64. After passing through the blower 64, the air is divided into two paths where one path passes through a magnetron housing 7 through a microwave oven chamber 10 to be exhausted out a grilled exhaust port 94 at the top of the oven. The other air path is a bi-pass air path 54a where air flows over the top of the microwave oven chamber 10 and out the front of the microwave oven assembly 9.

Applicant notes that air is driven through the hood vent air path 48 by the blower wheel 42, and air is driven through the microwave oven ventilation air path 54 by the blower 64. Applicant notes that the blower wheel 42 and the blower 64 are separate and each is driven by its own motor. Applicant further notes that neither the blower wheel 42 nor the blower 64 are disposed above the microwave oven chamber 10.

Because each reference shows multiple fans driven by multiple motors, and each reference shows oven fans to the side of the cooking chamber, neither Jailor, Yoshimura nor White, either alone or in combination, disclose or suggest a microwave oven having a first fan and a second fan disposed above a top of the cooking chamber, and a motor configured to drive both the first fan and the second fan, as set forth in independent claim 6. Accordingly, independent claim 6 is in allowable condition. For the same reasons set forth above, neither Yoshimura, Jailor, nor White, either alone or in combination disclose or suggest a microwave oven having a ventilation motor disposed above a cooking chamber, an exhaust fan configured to be driven by the ventilation motor, and a cooling fan configured to be driven by the

ventilation motor, as set forth in claim 12. Thus, independent claim 12 is in allowable condition. Claims 7-9, and 14, 15 and 17-19 are allowable at least for the reasons set forth above with respect to independent claims 6 and 12, from which they respectively depend, as well as for their added features. Applicant respectfully requests that the rejection of claims 6-9, 12, 14, 15 and 17-19 be withdrawn.

B. White and Jailor

The Office Action rejects claims 12-19 under 35 U.S.C. §103(a) over White in view of Jailor. Claims 13 and 16 have been canceled and the rejection thereto is moot. As to the remaining claims 12, 14, 15 and 17-19, this rejection is respectfully traversed.

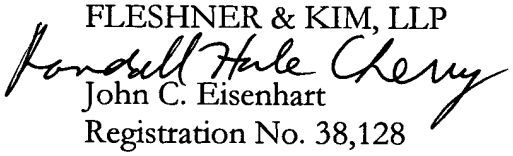
For the reasons discussed above, neither White nor Jailor, either alone or in combination, disclose or suggest, a microwave oven having a ventilation motor disposed above a cooking chamber, an exhaust fan configured to be driven by the ventilation motor, and a cooling fan configured to be driven by the ventilation motor, as set forth in claim 12. Accordingly, claim 12 is in allowable condition. Claims 14, 15 and 17-19 are allowable at least for the reasons discussed above with respect to independent claim 12 from which they depend, as well as for their added features. Applicant respectfully requests that the rejection of claims 12, 14, 15 and 17-19 be withdrawn.

III. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Randall H. Cherry**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



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